

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

SHAWN W. FITZGERALD,

Defendant.

NO. 2:16-CR-00028-JLQ-3

ORDER GRANTING MOTION TO  
MODIFY

BEFORE THE COURT is Defendant's "Second Motion to Modify Pretrial Release Condition No. 14" (ECF No. 117), which seeks permission to travel outside this District for the purposes of employment. Defendant contends the modification will allow him to drive additional routes and earn additional income that he will put towards restitution. The Motion is supported by a letter from Defendant's employer. The Motion states that neither the supervising Probation Officer, or the Government, oppose the request for modification.

**IT IS HEREBY ORDERED:**

1. Defendant's Motion to Modify (ECF No. 117) is **GRANTED**.
2. Condition No. 14 is modified to now read: Defendant may travel throughout the State of Washington, Idaho, Montana, and Oregon for employment purposes only. When not traveling for employment purposes, Defendant shall remain in the Eastern District of Washington. If Defendant seeks additional changes in his release conditions he shall

1 submit a timely motion which clearly states whether opposing counsel and Pretrial Service  
2 object to the request after prior notice.

3 3. All other conditions of release imposed by Magistrate Judge Rodgers remain as  
4 previously set and Defendant shall comply with all conditions.

5 **IT IS SO ORDERED.** The Clerk is hereby directed to enter this Order and furnish  
6 copies to counsel.

7 **DATED** this 12<sup>th</sup> day of September, 2016.

8 s/ Justin L. Quackenbush  
9 JUSTIN L. QUACKENBUSH  
10 SENIOR UNITED STATES DISTRICT JUDGE  
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